



SDMS DocID 584008

4 indicted for illegal dumping

Capuanos, Izzos charged with 840 violations of solid waste laws

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PROVIDENCE — Four principal figures in Rhode Island's trash hauling and scrap metal industries were arraigned yesterday on 840 violations of state solid waste laws. Named last week in secret indictments by a Kent County grand jury were:

- Daniel J. Capuano Jr., 49, of 648 East Shore Drive, Jamestown.
- His brother, Jack Capuano, 44,

of 145 Capuano Rd., Cranston.
• Pasco L. Izzo, 52, of 1837 Atwood Ave., Johnston.
• His son, Pasco L. Izzo Jr., 32, of 65 Mills Farm Rd., North Kingstown.
The Capuano brothers are charged with 715 counts of operating a landfill without a license. They face criminal penalties of up to 713 years in prison and fines totaling \$1.45 million.

Named in a separate indictment,

the elder Izzo faces 12 years in prison and a fine of \$127,000. His son faces 10 years in prison and a fine of \$98,000.

The state charged yesterday that the men illegally buried the waste, a nonmetallic byproduct of car shredding dubbed "auto fluff," produced by shredders in New York, Massachusetts and Rhode Island.

Some of the waste was found to
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Fluff

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contain high levels of suspected carcinogen polychlorinated biphenyls, or PCBs. State prosecutors asked for indictments not on hazardous waste violations, but on the simpler solid waste violations that would have applied if the disposal involved household trash or any other common waste.

Robert L. Bendick Jr., director of the state Department of Environmental Management, said yesterday that the investigation is still open and that the state may yet seek hazardous waste violations after a new round of testing. Samples were taken in March from the closed Sanitary Landfill in Cranston, owned by the Capuanos, and the Metals Recycling Co. scrap yard in Johnston, owned by the Izzos.

The grand jury indicted the four men on one solid waste violation for each day in which they allegedly handled and buried the waste, beginning in 1985. Arraigned yesterday before Superior Court Judge Corinne P. Grande, they were released on personal recognizance pending a pretrial hearing on Oct. 19.

"We hope this will send out a strong message to environmental polluters who tamper with our quality of life," Atty. Gen. James E. O'Neil said, announcing the charges in a joint press conference with Bendick.

"I've been waiting for this day for a long time," Bendick said. The indictments affirmed that "no one in Rhode Island is immune from prosecution for environmental crimes. No matter who you are, if you're committing an environmental crime, the law enforcement agencies involved will go after you."

Big DiPrete supporters

The Capuanos own the largest trash hauling business in Rhode Island, and were, until recently, the industry's highest political contributors to Governor DiPrete. When the

criminal investigation began in January, DiPrete returned the most recent Capuano contributions.

The Izzos, owners of the only automobile shredder in Rhode Island, allegedly accepted waste from a New York shredding company, storing it at their metal yard on Celia Street in Johnston until they could truck it to the Capuano landfill in Cranston.

The landfill was closed by a Superior Court order in 1985.

In addition to the criminal charges filed yesterday, DEM filed a civil action against the Capuanos seeking an additional \$1 million in fines. DEM asked the Superior Court to enforce its 1985 order, which provided for a fine of \$1,000 per day for any violation.

Most of the shredder waste dumped at the landfill was generated by Prolerized Schiabo Neu Co., a company that shreds automobiles and appliances at a waterfront scrap yard in Long Island City, N.Y.

PSN is not mentioned in the indictments, but the company acknowledged to a reporter last month that it paid a contractor, whom it refused to identify, to dispose of the waste. The company admitted that its contractor hauled the contaminated waste to Rhode Island by truck and by barge between September 1987 and January 1988.

PSN faces 80 counts of illegal dumping in northeastern Pennsylvania during the same period.

Yesterday Rhode Island authorities filed no charges against out-of-state companies or individuals.